

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CASSANDRA PENZ-ALONZO,

Defendant.

2:12-cr-00249-APG-VCF-2

ORDER

[Defendant's Motion for New Counsel (#46)]

Before the Court is Defendant's Motion for New Counsel. (#46).

A. Background

Defendant made her initial appearance on June 29, 2012 and CJA panel attorney, Mace J. Yampolsky, was appointed as counsel of record. (#5). Defendant was released on PR bond under special conditions. Defendant appeared before the court on August 3, 2012, for her arraignment and plea and Defendant pleaded not guilty to Count 1. (#27). Jury trial was scheduled for September 10, 2012. (#29). On August 29, 2012, the parties filed a Stipulation to Continue Trial and the Court granted the Stipulation August 30, 2012. (#'s 30 & 31). Trial was rescheduled to January 7, 2013. (#38). On December 21, 2012, trial was again continued to April 22, 2013. (#42). The instant motion was filed on April 15, 2013. (#46). On April 18, 2013, trial was continued to August 19, 2013. (#48).

B. Motions

Defendant Penz-Alonzo filed the instant motion on her own behalf. (#46). She is seeking a change in public defenders and stated that no work has been done in her case. *Id.*

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1 **C. Discussion**

2 Pursuant to Local Rule IA 10-6(a), “[a] party who has appeared by attorney cannot while so
3 represented appear or act in the case. An attorney who has appeared for a party shall be recognized by
4 the Court and all the parties as having control of the client’s case.” As Mr. Yampolsky is defendant’s
5 counsel of record (#5) and has not filed a motion to withdraw as counsel, defendant may not file motions
6 on her own behalf. *See* Local Rule IA 10-6(a). The motion filed by defendant as stated above is
7 deemed improper and stricken.

8 Accordingly and for good cause shown,

9 IT IS ORDERED that defendant’s Motion for New Counsel (#46) hereby STRICKEN.

10 DATED this 24th day of April, 2013.



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12 CAM FERENBACH
13 UNITED STATES MAGISTRATE JUDGE
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